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### YOU DON'T SAY...

"Yet again, our AG is prioritizing becoming a national liberal icon over his core job duty of fighting criminals."

*Rep. David Lewis, R-Harnett, on the announcement that Attorney General Josh Stein is joining 18 other Democratic attorneys general in a planned federal lawsuit to block President Trump's move to eliminate Affordable Care Act subsidies.*

TWITTER, 10/13/17

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## **News Summary**

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### **Redistricting Trial**

The redistricting practices of North Carolina Republicans are getting scrutinized yet again in court, this time in a trial in which federal judges must decide whether mapmakers can go too far drawing boundaries that favor their party. A three-judge panel begins hearing evidence Monday in litigation filed by election advocacy groups, the state Democratic Party and voters who allege unlawful partisan gerrymandering in the state's current congressional map, which favors the GOP. Those who sued want the map redone.

Several lawsuits this decade challenging districts drawn by the GOP-dominated General Assembly focused on alleged racial gerrymandering, which federal courts agreed existed. Legislative districts had to be redrawn in August, and another federal panel is deciding now whether those problems were fixed. The plaintiffs in the congressional case, however, argue the U.S. House boundaries redrawn by the GOP in 2016 are so politically uncompetitive that they violate the free speech and equal-protection constitutional rights of voters whose partisan viewpoints are in the minority, while perhaps not so statewide.

While redrawing the congressional maps last year, a legislative committee directed that the new lines help maintain the Republicans' 10-3 seat advantage in the state. Plaintiffs "are represented by a congressional delegation that unfairly silences their viewpoint, and their efforts to engage their fellow citizens and elected representatives are thwarted by the plan's extreme bias," lawyers representing the League of Women Voters of North Carolina and some individuals wrote in their opening statement for the trial, filed Friday with the court.

In their opening statement, the GOP legislative leaders contend the plaintiffs don't offer a manageable standard for courts to decide what makes for "balanced" districts and should leave resolutions over redistricting to voters, who elect legislators that approve maps. "The remedy for concerns over political map-drawing rests with the people, not with the courts," lawyers for the Republicans wrote. "This court should avoid entangling itself in the highly partisan, hotly disputed and inherently political process of redistricting."

The Greensboro trial, expected to last four or five days, begins two weeks after the U.S. Supreme Court heard oral arguments in a Wisconsin case in which a lower court ruled that Republicans packed Democrats into some districts and spread them across others to entrench GOP control in the legislature. The justices haven't yet ruled that illegal partisan gerrymandering exists in a specific case. The phrase hasn't been well defined. Last month, the three-judge panel declined to delay the North Carolina case until after the U.S. Supreme Court's ruling in the Wisconsin case, saying there were legal and factual differences. (Gary D. Robertson, THE ASSOCIATED PRESS, 10/14/17).

### **Override Session**

North Carolina Republican legislative leaders are asking lawmakers to return to Raleigh this week to consider overriding Democratic Gov. Roy Cooper's veto of a bill that would cancel primaries for 2018 judicial elections. A spokeswoman for Senate leader Phil Berger said Friday that senators are expected to gather Monday night for action on the override. The House also scheduled an evening floor session, with the expectation of a Tuesday vote in that chamber, should the Senate's override vote be successful, according to Rep. David Lewis, the House Rules Committee chairman. Lewis, R-Harnett, said GOP whips were counting how many legislators would return and vote to override. The measure, approved in largely party-line votes with veto-proof margins, also pushed back candidate filing for trial and appeals courts from February to June and permanently eased thresholds that all unaffiliated candidates and third parties must meet to get on ballots. The veto override next week is somewhat surprising, given that Sen. Bill Rabon, R-Brunswick, and Senate rules chairman, had previously said he anticipated any vetoes from this month's special session would be revisited during the legislature's next scheduled return in early January. (Gary D. Robertson, THE ASSOCIATED PRESS, 10/13/17).

### **Defamation Lawsuit**

The attorneys who brought a defamation lawsuit over voter protests filed in the wake of last November's elections want to add former Gov. Pat McCrory's legal defense fund and the attorneys who helped file those protests, to their suit. They also want to turn the case into a class action suit on behalf of more than 100 people who they say were unfairly maligned when Republicans falsely accused them of casting fraudulent votes. Attorneys for the Southern Coalition for Social Justice argue there was a coordinated effort by attorneys from a well-connected Republican law firm in Virginia to throw the results of North Carolina's close gubernatorial race into doubt.

Those attorneys, the lawsuit argues, helped North Carolina voters challenge Democratic votes "to delay certification of the election and suggest that voter fraud affected the election results."

Attorneys with the firm accused, Holtzman Vogel Josefiak Torchinsky, did not return messages seeking comment Friday. Dallas Woodhouse, executive director for the North Carolina Republican Party, called the lawsuit "a disgusting intimidation effort" meant to dissuade people from filing reasonable challenges.

Challenges that individual voters voted twice or otherwise voted illegally may not always prove correct, Woodhouse said, but people should be able to file protests and call for investigations without being certain. "The system's not perfect, it will never be perfect, but it's got to have checks," he said. "And this is one."

The lawsuit was first filed in February. The move to expand it comes after attorneys on the case interviewed a Guilford County man who filed protests and who had been the lawsuit's only named defendant. Based on that interview, and other evidence, lawyers with the Southern Coalition for Social Justice say they have enough to back conspiracy accusations against the wider group.

"Plaintiffs believe that these entities and individuals were responsible for facilitating a statewide scheme to invalidate the results of the 2016 gubernatorial election, and maliciously or recklessly defamed voters across the state to achieve that end," the filing states. A judge will have to sign off on adding the new defendants and decide whether the lawsuit morphs into a class action case. (Travis Fain, WRAL NEWS, 10/13/17).

### **ACA Lawsuit**

North Carolina's Attorney General Josh Stein is joining 18 other Democratic attorneys general in a planned federal lawsuit to block President Trump's move to eliminate Affordable Care Act subsidies. The legal challenge was announced by California AG Xavier Becerra and other attorneys general in a conference call Friday. The suit, to be filed in California, will ask a court to force the Trump administration to continue funding the subsidies. The payments have been made since 2014 to insurance companies to offset the cost of discounting health insurance for low-income households.

"I am suing President Trump today for his unlawful and reckless decision to stop payments that help hundreds of thousands of North Carolinians afford health insurance," Stein said. "His act wreaks havoc on the health care system. It will lead to higher insurance costs for individuals, cause insurance companies to leave the individual health insurance market, increase the number of people without health insurance, and cost taxpayers \$194 billion over the next 10 years."



Rep. David Lewis, R-Harnett, criticized Stein's decision on Twitter Friday. "Yet again, our AG is prioritizing becoming a national liberal icon over his core job duty of fighting criminals. Unacceptable," he tweeted, making a reference to Stein's delegation of some cases to local district attorneys following a major budget cut. "The same week the AG claims that he MUST force DAs to do his job for him, he takes on yet another high-profile national case."

Trump said late Thursday that he ordered federal officials to eliminate the subsidies. Republicans argued that the subsidies were illegal because they were enacted as a federal spending obligation without a Congressional appropriation and sued the U.S. Department of Health and Human Services. A federal court agreed but the case is now pending on appeal in the U.S. Court of Appeals for the D.C. Circuit.

The subsidies, called "cost-sharing reductions," are paid to insurers, who are obligated by law to discount deductibles and other out-of-pocket costs for ACA customers whose household incomes fall between 100 percent and 250 percent of the federal poverty level. In North Carolina, more than 300,000 ACA customers have policies that qualify for the "cost-sharing reductions." (John Murawski, THE NEWS & OBSERVER, and THE INSIDER, 10/13/17).

## **Prison Deaths**

The N.C. Department of Public Safety released a statement Friday night saying it will take immediate action to make prisons safer following the attempted escape at Pasquotank Correctional Institution in Elizabeth City that killed two prison employees and injured others Thursday.

Secretary Erik A. Hooks and state prison leaders met with Gov. Roy Cooper Friday, who told them to improve prison safety in the wake of the attack. "We owe it to the public and to our employees to keep state prisons secure, and we owe it to these fallen employees and their families to learn all we can about what happened and take steps to prevent a similar tragedy from happening again," Hooks said.

The release said the department has begun an assessment of the incident and would take the following immediate steps: Suspending Correction Enterprises operations at Pasquotank Correctional Institution while a thorough review of the program's safety and security is completed; reviewing the safety of all Corrections Enterprises operations at all state prisons; increasing the number of correctional officers who provide security in Correction Enterprises areas and increasing the number of rounds by the officer in charge within those areas; reviewing emergency procedures at all facilities; and conducting a complete facility search at Pasquotank Correctional Institution by 100 Prison Emergency Response Team members for contraband.

The deaths of two prison employees during an attempted escape should shine a light on poor working conditions and benefits at prisons all around North Carolina, the group representing state workers said Friday. Ardis Watkins, the head lobbyist for the State Employees Association of North Carolina, said she and other SEANC officials asked the N.C. General Assembly to act after another prison guard's death earlier this year to improve working conditions in prisons, mostly by offering better salary and benefits so that hard-to-fill guard jobs wouldn't remain empty. But in the months since then, there has been no action, she said.

"You're hearing about things like one officer who has 120 inmates he's accountable for," Watkins said. "We said this so much after Sgt. Callahan was murdered. This is going to keep happening." She said that in addition to some jobs remaining empty, other prison employees often skip work because they know their bosses can't fire them, for fear of creating even more vacant positions that will be difficult to fill and stretching the remaining guards even thinner.

"They can't address absenteeism because they can't fire anyone since it's so hard to hire new people," Watkins said. "And that's not something I hear only at some prisons. That's all over the state." Watkins said it's not just the staffing levels, either, but also the level of training those working have received. She said the state needs to spend more money if it truly wants prisons to be safe for those watching over the prisoners. "In addition to the funding issues, there is not proper training," she said. "It is going to take a big infusion of money from the General Assembly, along with the (Cooper) administration, to get this training done." Finally, Watkins said, correctional officers, need to be classified as law enforcement officers. That would give them better benefits and make the jobs easier to fill, she said.

The condition of one of three prison workers critically injured in Thursday's attempted prison break in Pasquotank County is apparently improving. Meanwhile, seven other prison employees being treated for injuries they suffered in the incident have been released. A press release from Norfolk-based Sentara Healthcare on Friday said two of three patients from Thursday's attempted prison break in Pasquotank County are still in critical condition at Sentara Norfolk General Hospital. A third is in fair condition, the release said.

Pasquotank Sheriff Randy Cartwright released more details about the attempted escape at the prison on Thursday. Cartwright said investigators believe four inmates planned their breakout by starting a fire inside a sewing plant to divert guards, then running through a loading dock to reach the fence. The plot was foiled and all inmates have since been accounted for. Cartwright says stabbing or slashing wounds predominated among the injuries to correctional staff. He says some people suffered smoke inhalation, but the fire didn't cause serious burns. The sheriff says none of the injured suffered gunshot wounds but wouldn't say whether guards fired on inmates to stop the attempted breakout. Cartwright said the SBI has sent an arson investigation team to probe the fire. Asked how the fire began, he said he has "some inkling" but declined to share it. (Will Doran, THE NEWS & OBSERVER, THE (Elizabeth City) DAILY ADVANCE and WRAL NEWS, 10/13/17).

### **Jailed**

Former state Rep. Robert Brawley, who ran a long-shot campaign for governor last year, was sentenced Friday to 15 days in jail on a contempt of court charge tied to a civil case brought against him by his business partners. Brawley, 73, was taken into custody immediately following the hearing in a Guilford County courtroom, according to attorneys on both sides of the case. The underlying civil lawsuit figures into a long-standing battle between competing elements of the state's bail bonding industry, which Brawley has been financially involved in. Among other things, Brawley, an Iredell County Republican who spent some 20 years in the state House, was accused by his partners of forging documents and sharing company financial information with a competitor. Brawley's attorney in the case, Steven McCloskey, confirmed the contempt of court decision Friday but said he was limited from saying more by gag orders in the case. "He got 15 days and was taken into custody immediately," McCloskey said.

Brawley served two stints in the General Assembly, and he bucked party leadership during both of them. He had a public falling-out in 2013 with then-House Speaker Thom Tillis that, among other things, focused on a 2012 law that would have given one group of bondsmen a monopoly to teach a state-required continuing education course. A judge eventually issued a preliminary injunction against enforcing that law, and the legislature reversed it.

Brawley has been in business with some of the same players who figured into the fight over bail bondsmen continuing education courses. Two companies, Premier Judicial Consultants and Cannon Surety, sued him over a litany of accusations, including fraud, libel, misrepresentation and corporate malfeasance, according to Mark Bibbs, an attorney for the group.

Bibbs, a Democrat who has run a couple of unsuccessful races for the statehouse, was back in the headlines earlier this year when the Secretary of State's Office accused him of lobbying the state legislature on behalf of bail bond companies without properly registering as a lobbyist. Superior Court Judge John O. Craig III presided over Brawley's hearing Friday and sentenced the former lawmaker "immediately to an active sentence of 15 days in the Guilford County Jail," Bibbs said. (Travis Fain, WRAL NEWS, 10/13/17).

### **School Takeover**

Southside-Ashpole Elementary School has been selected for inclusion in North Carolina's Innovative School District. The Robeson County school, starting in the 2018-19 academic year, will cease to be controlled by the local school district. Instead, it will--for at least five years--fall under direct control of the state Department of Public Instruction and be managed by either a charter management organization or an educational management organization hired by the state.

According to the law passed in October 2016 that created the ISD, the school board will have two choices. The board can agree to relinquish control of the school to the state or refuse to allow Southside-Ashpole be included in the ISD. The law further states that if the board refuses, the school will be closed and its students, about 270 this year, transferred to other public schools in the county.

Members of the Board of Education of the Public Schools of Robeson County who had spoken about the proposal were generally against, citing "local control." Several expressed their concerns on Tuesday when the school board met. According to a timeline provided by the ISD, administrators in the selected schools' districts will receive formal notice of their school's selection in the coming days. The names of the schools will be forwarded to the state Board of Education, which will make a final selection decision in December.

Southside-Ashpole's consideration as an ISD school was the topic of an often contentious forum at the school Thursday evening. Parents questioned ISD Superintendent Eric Hall about the selection process and what inclusion would mean for the school and its students. Hall fielded harsh comments from parents angry about teachers being forced to interview for jobs they already hold, about the possibility of Principal Lisa Washington being removed in favor of an administrator hired by the management organization, and about the school being considered for a program reported to have failed in two other states.

Hall announced Friday that Glenn Elementary in Durham had been removed from the list of schools being considered for the program. Durham's Lakewood Elementary School was removed from the list the previous week. (THE ROBESONIAN, and Greg Childress, THE (Durham) HERALD-SUN, 10/13/17).

### **UNC Scandal**

An NCAA infractions committee decided it will not punish UNC as it relates to "paper courses" attended by students, including student-athletes. The NCAA -- which oversees athletics at universities across the nation -- did hand down penalties against the chair and secretary of the UNC department at which these courses were offered. But the panel concluded that because these classes were open to more than just student-athletes, it could not punish the university as a whole.

"While student-athletes likely benefited from the so-called 'paper courses' offered by North Carolina, the information available in the record did not establish that the courses were solely created, offered and maintained as an orchestrated effort to benefit student-athletes," said Greg Sankey, the panel's chief hearing officer and commissioner of the Southeastern Conference, in a statement.

According to the NCAA report, released Friday morning, the case involved allegations that UNC "provided student-athletes with extra benefits through special access and course assistance, including heavy involvement from the former department chair and a former curriculum secretary." The NCAA panel noted that determining academic fraud was out of its purview, something UNC has argued for months. The panel did find the academic department's former chair and secretary did not cooperate in the investigation.

In a statement released Friday afternoon, UNC Chancellor Carol Folt said she is grateful the case has been resolved. "We believe this is the correct and fair outcome," Folt said. "I believe we have done everything possible to correct and move beyond the past academic irregularities and have established very robust processes to prevent them from recurring."

The oft-delayed case grew as an offshoot of a 2010 probe of the football program resulting in sanctions in March 2012. The NCAA reopened an investigation in summer 2014, filed charges in May 2015, revised them in April 2016 and again in December.

Chancellor Folt on Friday said resolution of this case is part of a larger effort working with administrators, faculty and staff across campus, as well as with the Southern Association of Colleges and Schools Commission on Colleges, UNC's accrediting agency. She said UNC has developed more than 70 reforms and initiatives, including some in the areas of academic advising and academic oversight.

"We continue to devote extraordinary resources to monitoring and refining these reforms and initiatives that have already have had such a profound impact on our University," Folt said. (Jason Debruyne and Elizabeth Baier, WUNC RADIO, 10/13/17).

### **Solar Tax Breaks**

At least three eastern North Carolina counties want to end local property tax breaks for solar farms that could stunt the industry's rapid expansion in the region. Last month, Currituck County

passed a resolution -- and was joined by Pasquotank and Chowan counties last week -- calling on state lawmakers to end the 80 percent tax discount on solar projects.

Rows of sun-soaking silicon panels sit on 2,200 Currituck County acres valued at \$210 million, according to the county's resolution. The solar discount means Currituck receives \$210,600 in property taxes instead of more than \$1 million. Pasquotank County is losing more than \$420,000 in annual revenue from 508 acres of solar farms, its resolution said. Chowan County does not have solar farms, but two are approved for construction, Commissioner John Mitchener said. Three solar farms occupy about 120 acres in Perquimans County, but officials have not passed a resolution on tax breaks. Three more solar farms are approved for construction, County Manager Frank Heath said. Commissioners have approached state officials about scaling back the tax breaks, he said.

State Sen. Bill Cook, R-Beaufort, plans to submit a bill in next year's session that would remove the local incentives, Cook spokesman Jordan Hennessy said. Tax breaks on existing solar farms would gradually phase out over four years. "Solar facilities are using some of the best and most productive farmland in the state," Cook said in a statement.

The tax reductions are not needed anymore because solar construction costs have fallen by about half in recent years, said Bobby Hanig, chairman of the Currituck County Board of Commissioners. Solar industry statistics show 55 percent building cost reductions in the last decade. Solar-energy systems take up good farmland and can be unsightly, he said. Solar industry officials defend the discount. Counties receive more revenue on the same property than they did before the addition of a multimillion-dollar solar project, the Solar Energy Industries Association said in a statement. "Repealing the property tax abatement risks damaging this still growing industry that brings much needed economic development to the state," the statement said. (Jeff Hampton, THE VIRGINIAN-PILOT, 10/13/17).

## **Raleigh Runoff**

Raleigh voters will be asked to go to the polls for a second time in less than a month. Charles Francis on Sunday announced plans to call for a runoff election against incumbent mayor Nancy McFarlane. Francis was one of two candidates challenging McFarlane for mayor and came in second place in last Tuesday's election. McFarlane got 48.45 percent of the vote, Francis got 36.67 percent, and Paul Fitts got 14.76 percent, according to preliminary results. Despite trailing McFarlane by 6,000 votes and nearly 12 percentage points, Francis was eligible to call for a runoff because McFarlane failed to get the 50 percent required to secure a win.

At a press conference on Sunday, Francis said he believes the election results show that residents want change. "The results did not produce a decisive outcome," he said. Francis advocated for parks projects, including Dix Park, but said other projects have been neglected and deserve the city's focus, too.

Francis also challenged McFarlane to a televised debate ahead of the Nov. 7 runoff election. McFarlane said in a statement that she "will welcome an opportunity to debate and correct [Francis'] misstatements during this runoff."

"This race provides a clear choice between solutions and partisanship and will demonstrate that Raleigh voters value a record of accomplishment over political labels," McFarlane said in a statement Sunday afternoon. "Francis has been long on misleading rhetoric and championing political labels, while offering nothing concrete in details."

Early voting for the runoff starts Oct. 19, and Election Day is Nov. 7. The runoff is expected to cost an additional \$500,000, according to the Wake elections board. Francis is one of three candidates in this year's City Council elections to be eligible for a runoff but is the only candidate opting to do so.

In the race for two at-large seats, third-place finisher Stacy Miller had the option but declined to call for a runoff, saying he didn't want to divide the city. Incumbent District E councilman Bonner Gaylord also declined the option. Gaylord said calling for a runoff wouldn't help "build bridges." (Paul A. Specht and Abbie Bennett, THE NEWS & OBSERVER, and WRAL NEWS, 10/15/17).

## **Opioid Comments**



U.S. Rep. G.K. Butterfield used Wilson's opioid crisis as an example during a health subcommittee hearing last week on Capitol Hill. On Wednesday during testimony and proposals on the opioid crisis, Butterfield addressed the issue that plagues many in North Carolina, including Wilson. He said he's worked closely with others to ensure the supply chain for potentially dangerous narcotics is airtight.

Butterfield, D-Wilson, was one of more than 50 congressional members who spoke Wednesday, sharing their stories about their communities and legislative ideas to combat the opioid crisis. Butterfield, a senior subcommittee member, said he worked closely with many colleagues on the Comprehensive Addiction and Recovery Act that was passed into law, which provides grants to states to support prevention, treatment, recovery, and education efforts around the opioid crisis. The law also expanded access to overdose reversal drug naloxone. "That bill included roughly 20 different legislative proposals to help slow the opioid epidemic," Butterfield continued. "As part of the 21st Century Cures Act, \$500 million in supplemental funding to address opioid abuse was approved last year alone."

"Despite the investments and attention from Congress, we are still feeling the opioid crisis close to home in North Carolina. During the August work period, I saw the effect of the epidemic on my community in Wilson, North Carolina," Butterfield said. "This August alone there were two deaths because of opioid use." Butterfield cited the Wilson Times' articles documenting the upswing in heroin and opioid overdoses during a six-week period from July to August. He also referred to Wilson County Emergency Medical Services administering naloxone -- a life-saving antidote which reverses an opioid overdose -- 28 times by mid-August when they usually administer the treatment 30 times per quarter. Across the state, there were 500 opioid diagnoses in overdose emergency room visits in July, compared to 410 during that time last year, Butterfield also said. He said the administration is not taking the situation seriously. "The budget offered by the Trump Administration cuts Health and Human Services by 16 percent, the Centers for Disease Control by 17 percent, and the National Institutes of Health by 19 percent," he said. (Olivia Neeley, THE WILSON TIMES, 10/13/17).

### **Unaffiliated Voters**

Vigorous recruiting efforts can reverse the trend of fewer Robeson County residents registering as Democrats, the county Democratic Party chairman says. "I don't think people are turning away from the Democratic Party," Edward Henderson said. "I think they are just looking for something new and different that may or may not be out there." Since 2010, Robeson County's voter registration pattern has mirrored the state's, with the number of registered Democrats declining, and Republican and unaffiliated registrations on the rise. The greatest percentage increase in the county since 2010 has been with voters registering as unaffiliated.

Democrats made up 73 percent of the county's total voter registration in 2010, according to numbers provided by the Robeson County Board of Elections. Republicans made up 11.7 percent of total registered voters that year and unaffiliated voters were 15.2 percent. Robeson County Democrats' share of the voting pool has shrunk in 2012, 2015 and 2017 -- 70.9, 68.8 and 65.7 percent, respectively -- while the percentage of Republican and unaffiliated voters grew.

Democrats made up 65.7 percent of the county's 73,684 registered voters two weeks ago, with the GOP making up 13 percent and unaffiliated voters making up 21 percent.

The big growth in unaffiliated voters is not unique to Robeson County, said John McNeill, former Robeson County Democratic Party chairman and the mayor of Red Springs. "This is happening all over, at the local, county, state and national levels," he said. "I don't know why. I can't read people's minds. I guess they want flexibility or whatever." (Bob Shiles, THE ROBESONIAN, 10/15/17).

### **Pipeline Approval**

The Federal Energy Regulatory Commission on Friday approved the \$5 billion, 600-mile Atlantic Coast Pipeline, designed to transport gas from shale fields in Pennsylvania to Southern Virginia and eastern North Carolina, with one of the three commissioners dissenting.

In the order, the divided commission finds that the controversial project's benefits "outweigh any adverse effects on existing shippers, other pipelines and their captive customers, and on landowners and surrounding communities." And, it affirms the staff's July finding that the pipeline



"will result in some adverse and significant environmental impacts, but that these impacts will be reduced to acceptable levels." Duke Energy CEO Lynn Good called the decision a "critical step forward" for the project, of which Duke owns 47 percent. Greg Buppert, a senior attorney for the Southern Environmental Law Center, called the FERC order a long-anticipated "rubber stamp" and said his organization intends to challenge the decision.

Commissioner Cheryl LaFleur says in her dissent that she believes a more efficient solution with less impact to the environment would have been to require that the Atlantic Coast Pipeline combine with the Mountain Valley Pipeline. That latter project was also approved Friday. The FERC permit is not the final word on the project. Virginia and North Carolina must still issue environmental permits for it. (John Downey, CHARLOTTE BUSINESS JOURNAL, 10/14/17).

### **Offshore Drilling**

The Pine Knoll Shores board of commissioners has joined municipal governments on the North Carolina coast in opposing offshore oil and gas drilling and seismic surveying. The board approved 4-1 a resolution at its regular meeting Wednesday opposing the practices, with Commissioner Fred Fulcher opposed to the resolution. The approved resolution was amended from its original position, with language removed regarding profit sharing from fossil fuel drilling.

Three residents who spoke during public comments supported the board's resolution against drilling and surveying. One of these residents was Bill Knecht, a candidate for the commission. "My feeling is we have plenty of alternative energy sources," he said. "We don't need to risk our beautiful coast with oil and gas drilling." (Mike Shutak, CARTERET COUNTY NEWS-TIMES, 10/13/17).

### **Fair Drinks**

Long lines at the state fair are not unusual. But something new is making people queue up this year: sales of alcohol, which is being offered there for the first time ever. It's a scenario that is unlikely to cause much in the way of inebriation, however. A \$10 ticket will get you one "flight" of North Carolina wine or craft beer, with four small samples of either one. Each person is limited to one such flight per day, and all consumption takes place under the watchful eye of agents from the Alcoholic Beverage Control Commission. Still, around 75 people were lined up at the Our State Public House when alcohol sales commenced at noon Saturday.

The Our State Public House where the alcohol sampling goes on is at the Heritage Circle, at the far western end of the fairgrounds. While the location is a bit off the beaten path from the fair's crowded main midway, plenty of people seem to be finding it. Pattison said they had more than 2,000 customers come in and partake during the fair's opening two days, Thursday and Friday. With Saturday shaping up as a perfect fall day, it seemed likely the patron total would more than double that figure. Pattison said they had enough capacity to handle up to 5,000 people per day. (David Menconi, THE NEWS & OBSERVER, 10/14/17).

### **Hurricane Relief**

Congressman Robert Pittenger on Friday announced the Federal Emergency Management Agency will provide North Carolina with an additional \$1,391,675.95 to assist with Hurricane Matthew recovery efforts. This grant will be provided to the N.C. Department of Transportation to reimburse for debris removal and infrastructure repair projects associated with Hurricane Matthew. NCDOT will be responsible for distributing the money to local governments.

"We will knock on every door, and try every avenue, to ensure North Carolina receives full and appropriate funding for Hurricane Matthew recovery," Pittenger said. "I spoke with HUD Secretary Dr. Ben Carson about visiting North Carolina later this year to view the ongoing recovery needs. The media has moved on, but I haven't, and I am committed to seeing this project through." To date, \$1.28 billion in federal funding has been provided for Hurricane Matthew recovery in North Carolina. Much of that money is released to the State of North Carolina, which is then responsible for distributing to affected counties and municipalities. (BLADEN JOURNAL, 10/13/17).

### **Wife Swap**

The criminal conviction of former Rockingham County District Attorney Craig Blitzer has cost him again. On Thursday, U.S. Middle District Judge William Osteen suspended Blitzer's law license to

practice in federal court. On July 18, Blitzer pleaded guilty to willful failure to discharge the duties of his office in Wake County Superior Court. He and former Person/Caswell County District Attorney Wallace Bradsher are accused of hiring each other's spouses and paying Blitzer's wife, Cindy, \$48,000 for 15 months of work she did not perform while instead attending nursing school. Superior Court Judge Donald Stephens said he would not sentence Blitzer immediately. Blitzer agreed to serve as a witness in pending criminal and civil cases including, the pending case against Bradsher. Blitzer attorney Chris Clifton said he could not comment on Osteen's order because of the ongoing case in Wake County. Osteen's order came after the N.C. State Bar temporarily suspended Blitzer's law license on Aug. 3. An order signed by Disciplinary Hearing Commission Chair Fred Morelock said the N.C. State Bar plans to file a formal complaint against Blitzer for allegedly violating the professional rules of conduct and the state law allows them to temporarily suspend a license until that happens.(Danielle Battaglia, GREENSBORO NEWS & RECORD, 10/13/17).

## **Prescription Training**

As the number of people overdosing on opioids continues to climb in North Carolina, people who prescribe these painkillers in the state are learning how best to do that. In part, it's because they have to. Over the past three years, the General Assembly has passed a series of laws that will improve the state's Controlled Substances Reporting System, a database of all prescriptions for opioids and other drugs that can be abused. The legislature has also compelled prescribers to sign up for the system and more recently has ordered providers to take a continuing education course that improves their knowledge of best practices for writing opioid prescriptions.

Most recently, the STOP Act passed by the state legislature this summer and signed into law by Gov. Roy Cooper in June sets a five-day limit on initial prescriptions for acute pain and a seven-day limit on prescriptions for post-surgical pain. And once the Controlled Substance Reporting System is updated to make it easier for prescribers to access, they'll be required to check the CSRS before writing each prescription in an effort to cut down on "doctor shopping" and ensure patients aren't receiving opioids elsewhere.

Evelyn Contre from the North Carolina Medical Board said the board has committed itself to helping people get informed. "Their vision for the medical board is to be more of a resource for the people that we license," Contre said at a continuing education session at Duke University on Thursday. "That has opened up a lot of doors to doing more training, to doing more creative things to be more helpful."(Rose Hoban, NC HEALTH NEWS, 10/13/17).

## **Flood Prevention**

The Greenville City Council approved a contract Thursday night, taking a big step forward in a project that has been referred to as one of the most ambitious infrastructure updates in the history of the state.

Greenville City Council has been working on a project that would rebuild the city's Town Creek Culvert for years and now the council took a big step forward, voting to approve a contract for Trader Construction Company of New Bern to build the updates, as funding has come together for the project that will cost more than \$20 million in construction alone.

The Town Creek Culvert is the main line that supports the drainage of stormwater to more than 400 acres in the uptown area. "When we talk about this project, it is not just a stormwater pipe," explains Kevin Mulligan, the director of Public Works. "It is a storm pipe that goes through the middle of town. All of the roads will be replaced. The sewer water gas electric and cable will also be relocated and replaced."

The ambitious project has been pursued as a "green" project, designed to not only solve drainage issues within the city but also to beautify the area and remove nitrogen and phosphorus from the water through rain gardens and step pools. With that title of "green" comes a \$16.3 million loan from the state, the largest loan in North Carolina state history, with a zero percent interest rate. The project is not on a specific timeline just yet. Mayor Smith says they hope construction will begin in January and will take about 30 months to finish after that. The timeline could change with a number of factors.(WITN, 10/12/17).

## **VA Protest**

Protesters gathered at Charles George VA Medical Center in Asheville on Thursday afternoon to express disappointment in the 49,000 vacant staff positions nationwide, which veterans' supporters said are affecting local VA branches. Months of delays in appointments, overworked employees and lack of internal support can no longer be ignored, said Brandy Morris, executive vice president of the local American Federation of Government Employees labor union in Asheville. Ralliers also said they were upset with the Trump administration's recent decisions in regards to veteran care. In August, Trump signed a \$3.9 billion funding bill to save the nearly bankrupt Choice Program, which is a temporary benefit that allows eligible veterans to receive health care in their communities rather than waiting for a VA appointment or traveling to a VA facility, according to the Department of Veterans Affairs.(Alexandria Bordas, ASHEVILLE CITIZEN-TIMES, 10/12/17).

### **Troubled Charter**

A charter school in Bertie County is in danger of having its charter revoked. According to the Heritage Collegiate Leadership Academy's Facebook page, the North Carolina Charter Advisory Board voted last Monday and recommended that Heritage Collegiate Leadership Academy's lose their charter with the state. A "Save Our Schools" meeting took place last week to address the school's future.

Heritage's charter was in limbo earlier this summer but was saved. "We could be forced to close as early as the end of the semester," said Dr. Kashi Bazemore, Heritage Collegiate Leadership Academy Director, at last week's event.(Tamara Scott, WNCT, 10/12/17).

### **Dismissed**

Prosecutors have dismissed all charges against a retired Catawba County principal accused of pepper spraying Confederate veteran re-enactors during the 2017 Soldiers Reunion parade in Newton in August, court records show. Karl Philip Smith, 56, of Morganton, was scheduled for trial last week on two counts of misdemeanor assault and one count of "failure to disclose to any law enforcement officer that the person holds a valid permit and is carrying a concealed handgun when approached or addressed by the officer."

The Catawba County District Attorney's Office dismissed the charges on Oct. 6, according to court records. "Special conditions exist," the records say, without elaborating. A spokesman for the district attorney's office declined on Friday to discuss the case, saying the reason for the dismissal could be found on the dismissal form in the Catawba County Courthouse in Newton. Two victims were treated at the scene for pepper spray exposure and then released, Newton police said at the time without identifying the victims. Two parade participants notified police that a man armed with pepper spray was following the re-enactors, according to the police. Witnesses told police that when the re-enactors stopped to fire their weapons, the man discharged pepper spray at them. Witnesses pointed out the man to police, who immediately took him into custody without incident.(Joe Marusak and Maria David, CHARLOTTE OBSERVER, 10/13/17).

### **Swan Hunting**

A federal plan to let hunters shoot trumpeter swans has drawn fire from some of the people who toiled to bring the majestic white birds back from the brink of extinction. Trumpeter swans, North America's largest waterfowl species, have made a comeback in recent decades thanks to efforts to reintroduce them to their former breeding range. Now the U.S. Fish and Wildlife Service is working on a plan that would let hunters shoot them in several states that allow the hunting of tundra swans, a more numerous species.

"Trumpeter swans are a conservation success story," said Brad Bortner, chief of the service's migratory bird management division. North America's population is estimated at more than 63,000 adult birds and it's growing by more than 10,000 a year, he said. No state is currently proposing trumpeter swan seasons, he said, and the proposal is mostly aimed at protecting tundra swan hunters in five states who may mistakenly kill trumpeter swans. But he acknowledged the proposal opens the door to the possibility that some states could offer such a hunting season. The soonest the proposal could take effect is 2019-2020 season.

The proposal essentially would make such incidental kills legal by letting states with low trumpeter numbers hold general swan seasons rather than specific tundra swan seasons. The service already



allows something similar in the Pacific Flyway in Utah and Nevada. The new plan would most directly protect tundra swan hunters in Montana, North Dakota, South Dakota, North Carolina and Virginia.(Steve Karnowski, THE ASSOCIATED PRESS, 10/15/17).

### **Media Move**

WRAL reporter Julia Sims announced on her Facebook page Friday that she is leaving the station. Sims wrote that she has a year left on her contract at WRAL but that another opportunity came up that will give her more time at home with her 9-year-old son. Sims said she will be at WRAL for "another month or so." Sims is taking a communications job with the City of Raleigh.(Brooke Cain, THE NEWS & OBSERVER, 10/13/17).

### **Wrightsville Boat**

The United States Coast Guard has announced plans to possibly relocate an 87-foot coastal patrol boat to its USCG Station Wrightsville Beach to aid in maritime safety and security operations. An environmental impact study has been completed and is available for public viewing. The relocation of the ship would help provide more services like search and rescue to Sector North Carolina. Station Wrightsville Beach was created in 1969 and is located on the west side on the south end of the island and is bordered by the Banks Channel. The station was built to house a crew of 18, according to the USCG environmental impact analysis.(Michael Praats, PORT CITY DAILY, 10/13/17).

### **Honored**

Gov. Roy Cooper announced that a wood veneer manufacturer, a regional collaborative for economic development, and four individual North Carolinians have won NCWorks Awards of Distinction for outstanding accomplishments and contributions in workforce development. The awards were presented yesterday during a ceremony held in Greensboro. "These programs and people are helping North Carolinians get the skills and training needed to get and keep good jobs," Cooper said. "I congratulate these honorees and thank them for their dedication to improving our workforce." The Governor's NCWorks Awards of Distinction honor outstanding examples from the state's workforce development system. The NCWorks Commission, appointed by the governor and operating as the state's official workforce development board, recognized these individuals and businesses at a ceremony held during the 2017 NCWorks Partnership Conference on October 12. NCWorks Awards were presented to the following recipients:

- Marvin Lear of Kannapolis: Outstanding Adult. Lear is employed at DNP Imagingcomm America Corporation as a Coding Operator working with photography film machines and was promoted to Group Leader nine weeks after he was hired.
- Destiny Mader of Marion: Outstanding Young Adult. Mader is in the web technology program at MTCC and has been inducted into the National Vocational Honor Society.
- Nadja M. Brown of Gastonia: Outstanding Teen. A rising senior at Piedmont Community School in Gastonia, Brown is enrolled in the Career and College Promise Program (CCP) through Gaston College.
- Michael Cloy of Gastonia: Wayne Daves Award for Outstanding Achievement in Workforce Development. A retired U.S. Army Colonel, Cloy, is a Disabled Veteran Outreach Representative with the Division of Workforce Solutions and Asheville Buncombe Community Christian Ministries Veteran Services of the Carolinas.
- Columbia Forest Products of Old Fort: Outstanding Employer. Columbia Forest Products emphasizes community engagement and has helped employ dozens of individuals at a sustainable living wage.
- McDowell County Workforce Pipeline Committee: Innovative Partnership. The McDowell County Workforce Pipeline Committee brings together partner agencies, local employers, training providers, and community leaders to connect job seekers with opportunities through local employers.

(NEWS RELEASE, 10/13/17).

## Legislative Studies and Meetings

Items in **RED** are new listings.

**LB:** Legislative Building

**LOB:** Legislative Office Building.

More Information: <http://ncleg.net/LegislativeCalendar/>

### **Monday, Oct. 16**

- 9:30 a.m. | Senate Session Convenes, Senate Chamber.
- 8 p.m. | House Session Convenes, House Chamber.

### **Tuesday Oct. 17**

- 10 a.m. | Child Fatality Task Force Meeting, 1027/1128 LB.

### **Wednesday, Oct. 25**

- 10 a.m. | Child Fatality Task Force Meeting, 1027/1128 LB.

### **Friday, Oct. 27**

- 11 a.m. | The North Carolina Courts Commission, 643 LOB.

### **Wednesday, Nov. 1**

- 10 a.m. | Child Fatality Task Force Meeting, 1027/1128 LB.
- 10 a.m. | The Joint Legislative Task Force on Education Finance Reform (2017), 544 LOB

### **Thursday Nov. 2**

- 10 a.m. | The Social Services Regional Supervision and Collaboration Working Group (2017), UNC School of Government / Room 2402 and 2321.

### **Monday, Nov. 6**

- 11 a.m. | House Select Committee on Strategic Transportation Planning and Long Term Funding Solutions, [2202 Burnett Blvd., Wilmington](#).

### **Tuesday, Nov. 7**

- 10 a.m. | Child Fatality Task Force Meeting, 1027/1128 LB.

### **Wednesday, Nov. 8**

- 9 a.m. | Joint Legislative Commission on Energy Policy Notice, 643 LOB.
- 10 a.m. | Child Fatality Task Force Meeting, 1027/1128 LB.
- 1 p.m. | The Joint Legislative Oversight Committee on Capital Improvements, 544 LOB.

### **Thursday, Nov. 9**

- 9 a.m. | The Joint Legislative Transportation Oversight Committee, 643 LOB.

### **Wednesday, Jan. 17**

- 10 a.m. | Child Fatality Task Force Meeting, 1027/1128 LB.

### **Wednesday, Jan. 24**

- 10 a.m. | Child Fatality Task Force Meeting, 1027/1128 LB.

## **N.C. Government Meetings and Hearings**

Items in **RED** are new listings.

### **Friday, Oct. 13**

- 8:30 a.m. | The State Board of Dental Examiners meets, 2000 Perimeter Parkway, Suite 160, Morrisville.
- 9 a.m. | The N.C. Property Tax Commission meets, [501 North Wilmington St., North Carolina](#) Department of Revenue / Room 135, Raleigh.
- 9 a.m. | The N.C. Home Inspector Licensure Board meets, [116 West Jones St., Raleigh](#).
- 10 a.m. | The N.C. Basic Law Enforcement Training Revision Committee hold public meeting, [1001 Burkemont Ave., Morganton](#).
- 12:30 p.m. | The NCWorks Commission Education and Training Committee meets, [3121 W. Gate City Road](#), Sheraton Four Seasons, Greensboro.

### **Tuesday, Oct. 17**

- 1:30 p.m. | The Accountability Committee of The North Carolina Partnership for Children meets, [1100 Wake Forest Road, Raleigh](#). Contact: Yvonne Huntley, [919-821-9573](#).

### **Thursday, Oct. 19**

- 9 a.m. | The Board of Directors of the North Carolina State Ports Authority meets, Board Room of the North Carolina Maritime Building, [2202 Burnett Blvd., Wilmington](#).
- 10 a.m. | The N.C. Rules Review Commission meets, Administrative Hearings office, Rules Review Commission Room, [1711 New Hope Church Road, Raleigh](#).

### **Friday, Oct. 20**

- 8:30 a.m. | The State Board of Examiners of Plumbing, Heating & Fire Sprinkler Contractors meets, TBD.
- 9 a.m. | The State Board of Community Colleges meets, [200 West Jones St.](#), Caswell Building Raleigh.

### **Monday, Oct. 23**

- 8 a.m. | Western Carolina University Board of Trustees meets, 501 HFR Building, Cullowhee.
- 10 a.m. | The N.C. Military Affairs Commission 4th Quarter NCMAC Base Sustainability/Community Affairs meets, [413 N. Salisbury St., Raleigh](#).

### **Tuesday, Oct. 24**

- 8 a.m. | The state Board of Barber Examiners meets, [5809 Departure Dr., Ste 102, Raleigh](#).
- 10 a.m. | The NC Military Affairs Commission 4th Quarter NCMAC Economic Development meeting, [413 N. Salisbury St., Raleigh](#).
- 10 a.m. | Wildlife Resources Commission: Public Hearing-Technical Changes to 27 Water Safety Rules, [1751 Varsity Dr., Raleigh](#).



- 11 a.m. | The state Economic Investment Committee Board meets, [301 N. Wilmington St.](#), Commerce Executive Board Room, 4th floor, Raleigh.
- 12 p.m. | The State Bar 2017 October Annual Meeting, [217 E. Edenton St.](#), NC State Bar Building, Raleigh.
- 1 p.m. | The N.C. Code Officials Qualification Board meets, [116 West Jones St., Raleigh](#).

### **Wednesday, Nov. 1**

- 10:30 a.m. | The Standard Commercial Fishing License Eligibility Board to the N.C. Division of Marine Fisheries meets, N.C. Department of Environmental Quality's Wilmington Regional Office, [127 N. Cardinal Drive](#) Extension, Wilmington.

### **Wednesday, Nov. 8**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, [512 N. Salisbury St., Raleigh](#).

### **Thursday, Nov. 9**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, [512 N. Salisbury St., Raleigh](#).

### **Monday, Nov. 13**

- 11 a.m. | The Executive Committee of The North Carolina Partnership for Children meets, [1100 Wake Forest Road, Raleigh](#). Contact: Yvonne Huntley, [919-821-9573](#).

### **Tuesday, Nov. 14**

- 12:30 p.m. | The NC Pesticide Board meets, Gov. James Martin Building - N.C. State Fairgrounds, Raleigh.

### **Thursday, Nov. 16**

- 10 a.m. | The N.C. Rules Review Commission meets, Administrative Hearings office, Rules Review Commission Room, [1711 New Hope Church Road, Raleigh](#).

### **Thursday, Dec. 7**

- TBD | The Golden LEAF Foundation's board meets, TBD. Contact: Jenny Tinklepaugh, [888-684-8404](#).
- TBD | The NC Wildlife Resources Commission meets, [1751 Varsity Dr., Raleigh](#).

### **Thursday, Dec. 14**

- 10 a.m. | The N.C. Rules Review Commission meets, Administrative Hearings office, Rules Review Commission Room, [1711 New Hope Church Road, Raleigh](#).

### **Wednesday, Jan. 10**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, [512 N. Salisbury St., Raleigh](#).

### **Thursday, Jan. 11**

- 9 a.m. | Environmental Management Commission meets, Ground Floor Hearing Room, Archdale Building, [512 N. Salisbury St., Raleigh.](#)

## **N.C. Utilities Commission Hearing Schedule**

Dobbs Building

[430 North Salisbury Street](#)

Raleigh, North Carolina

More Information: <http://www.ncuc.commerce.state.nc.us/activities/activit.htm>

### **Monday, Oct. 16**

- Staff Conference

### **Friday, Oct. 20**

- 10 a.m. | T-4624 Sub 2 .. Show Cause, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

### **Monday, Oct. 23**

- Staff Conference

### **Tuesday, Oct. 24**

- 6:30 p.m. | E-34 Sub 46 ...Application of Appalachian State University d/b/a New River Light and Power Company for an Adjustment of Rates and Charges for Electric Service in North Carolina, Watauga County Courthouse, [842 W. King St., Boone.](#)

### **Wednesday, Oct. 25**

- 6 p.m. | W-390 Sub 13 ...Petition to Appoint Emergency Operator and Increase Rates, Macon County Courthouse, [5 W. Main St.](#), Franklin.

### **Thursday, Oct. 26**

- 10 a.m. | Complaint - Duke Energy Carolinas, LLC, Old Civil Courts Building, [Mecklenburg County, 800 E. 4th St., Charlotte.](#)

### **Monday, Oct. 30**

- Staff Conference
- 6:30 p.m. | E-2 Sub 1150 ...Application for CPCN to Construct Cleveland-Matthews Transmission Line, Johnston County, Johnston County Courthouse, [207 E. Johnston St., Smithfield.](#)

### **Tuesday, Oct. 31**

- 10 a.m. | E-2 Sub 1150 ...Application for CPCN to Construct Cleveland-Matthews Transmission Line, Johnston County, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

### **Wednesday, Nov. 1**

- 10 a.m. | G-41 Sub 50 ...Toccoa Natural Gas' Annual Prudency Review for the Period Beginning July 1, 2016 and Ending June 30, 2017, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

### **Monday, Nov. 6**

- Staff Conference
- 1:30 | E-22 Sub 544, 545, 546 ... Application by Virginia Electric and Power Company d/b/a Dominion Energy North Carolina for Approval of Renewable Energy, Dobbs - Commission Hearing Room, 2nd floor, Room 2115.

### **Monday, Nov. 13**

- Staff Conference

### **Monday, Nov. 20**

- Staff Conference

### **Monday, Nov. 27**

- Staff Conference

### **Monday, Dec. 4**

- Staff Conference

## **UNC Board of Governors**

Board Room of the UNC Center for School Leadership Development  
[140 Friday Center Drive, Chapel Hill](#) (**remote meeting locations in RED**)  
 More Information: <https://www.northcarolina.edu/bog/schedule.php>

### **Friday, Nov. 3**

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

### **Friday, Dec. 15**

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

### **Friday, Jan. 26, 2018**

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.

### **Friday, March 23, 2018**

- TBA | UNC Wilmington, Wilmington.

### **Friday, May 25, 2018**

- TBA | The UNC Board of Governors, C.S.L.D. Building, Chapel Hill.



## N.C. Dept. of Environmental Quality

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The N.C. Dept. of Environment and Natural Resources has a new name - the [N.C. Dept. of Environmental Quality](http://portal.ncdenr.org/web/guest/home). More Information: <http://portal.ncdenr.org/web/guest/home>

### **Wednesday, Oct. 11**

- 9 a.m. | The State Consumer and Family Advisory Committee (SCFAC) meets, 801 Biggs Dr., Hearing Rm. 104, Raleigh.

### **Wednesday, Nov. 1**

- 9 a.m. | The State Consumer and Family Advisory Committee (SCFAC) meets, Dix Grill, 1101 Cafeteria Dr., Raleigh.

### **Wednesday, Dec. 13**

- 9 a.m. | The State Consumer and Family Advisory Committee (SCFAC) meets, Dix Grill, 1101 Cafeteria Dr., Raleigh.

## Other Meetings and Events of Interest

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Items in **RED** are new listings.

### **Monday, Nov. 6**

- TBD | The NC Bankers Association hold Women in Banking Conference, Renaissance Charlotte Southpark, [5501 Carnegie Blvd., Charlotte](#).

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